

AMENDED IN SENATE AUGUST 6, 2012

AMENDED IN ASSEMBLY APRIL 24, 2012

AMENDED IN ASSEMBLY APRIL 9, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 1965**

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**Introduced by Assembly Member Pan**

February 23, 2012

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An act to amend Section 66602 of the Education Code, relating to public postsecondary education.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1965, as amended, Pan. California State University: ~~trustees;~~ *trustees: student members: voting at board meetings.*

Existing law establishes the California State University, under the administration of the Trustees of the California State University, as one of the segments of public postsecondary education in this state. Under existing law, the trustees are composed of a total of 25 members, which include 5 specified ex officio members, a representative of the alumni associations of the university, 16 members appointed by the Governor, subject to confirmation by  $\frac{2}{3}$  of the membership of the Senate, for 8-year terms, and 2 California State University students and one California State University faculty member appointed by the Governor for 2-year terms. Existing law prohibits a student member from voting at a board meeting during the first year of his or her term.

~~This bill would authorize an ex officio member, excluding the Chancellor of the California State University, to designate a person to attend a meeting or meetings of the board in his or her absence and to speak and vote on his or her behalf during those meetings, and would~~

~~prohibit the designee from attending closed sessions of the board. The bill would prohibit an ex officio member from designating more than one person to attend board meetings in any calendar year. The bill would require the ex officio member to provide specified notifications if he or she designates a person to attend board meetings.~~

~~The bill also~~

~~This bill would authorize a student member to vote at a board meeting during the first year of his or her term if the other student member is absent from that meeting.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes-no. State-mandated local program: no.~~

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 66602 of the Education Code is amended  
2     to read:

3     66602. (a) ~~(1)~~—The board shall be composed of the following  
4     five ex officio members: the Governor, the Lieutenant Governor,  
5     the Superintendent of Public Instruction, the Speaker of the  
6     Assembly, and the person named by the trustees to serve as the  
7     Chancellor of the California State University; a representative of  
8     the alumni associations of the state university, selected for a  
9     two-year term by the alumni council, California State University,  
10    which representative shall not be an employee of the California  
11    State University during the two-year term; and 16 appointive  
12    members appointed by the Governor and subject to confirmation  
13    by two-thirds of the membership of the Senate.

14    ~~(2) (A) An ex officio member of the board, excluding the~~  
15    ~~Chancellor of the California State University, may designate a~~  
16    ~~person to attend a meeting or meetings of the board in his or her~~  
17    ~~absence and to speak and vote on his or her behalf during those~~  
18    ~~meetings. The designee shall not attend any closed session of the~~  
19    ~~board. No more than one person may be designated under this~~  
20    ~~paragraph to attend board meetings in any calendar year.~~

21    ~~(B) If an ex officio member of the board designates a person~~  
22    ~~pursuant to subparagraph (A), the member shall do both of the~~  
23    ~~following:~~

24    ~~(i) Notify the secretary of the board in writing of the name and~~  
25    ~~contact information of the designee by January 10 of the calendar~~  
26    ~~year for which the designee is chosen to attend board meetings.~~

1     (ii) ~~Notify the secretary of the board in writing 10 business days~~  
2 ~~prior to a board meeting if the ex officio member will be sending~~  
3 ~~the designee to attend the meeting in his or her place.~~

4     (b) (1) Two students from the California State University, who  
5 shall have at least a junior year standing at the institutions they  
6 attend, and who remain in good standing as students during their  
7 respective terms, shall also be appointed by the Governor to serve  
8 on the board for two-year terms.

9     (2) In the selection of students as members of the board, the  
10 Governor shall appoint the students from lists of names of at least  
11 two, but not more than five, persons furnished by the governing  
12 board of any statewide student organization that represents the  
13 students of the California State University and the student body  
14 organizations of the campuses of the California State University.  
15 Any appointment to fill a vacancy of a student member shall be  
16 effective only for the remainder of the term of the person's office  
17 that became vacated.

18     (3) The term of office of one student member of the board shall  
19 commence on July 1 of an even-numbered year and expire on June  
20 30 two years thereafter. The term of office of the other student  
21 member of the board shall commence on July 1 of an  
22 odd-numbered year and expire on June 30 two years thereafter.  
23 Notwithstanding paragraph (1), a student member who graduates  
24 from his or her college or university on or after January 1 of the  
25 second year of his or her term of office may serve the remainder  
26 of the term.

27     (4) (A) During the first year of a student member's term, a  
28 student member shall be a member of the board and may attend  
29 all meetings of the board and its committees. At these meetings,  
30 a student member may fully participate in discussion and debate,  
31 but may not vote. During the second year of a student member's  
32 term, a student member may exercise the same right to attend  
33 meetings of the board, and its committees, and shall have the same  
34 right to vote as the members appointed pursuant to subdivision  
35 (a).

36     (B) Notwithstanding subparagraph (A), during the first year of  
37 a student member's term, the student may vote at a board meeting  
38 if the other student member is absent from that meeting.

39     (5) Notwithstanding paragraph (4), if a student member resigns  
40 from office or a vacancy is otherwise created in that office during

1 the second year of a student member's term, the remaining student  
2 member shall immediately assume the office created by the vacancy  
3 and all of the participation privileges of the second-year student  
4 member, including the right to vote, for the remainder of that term  
5 of office.

6 (c) (1) A faculty member from the California State University,  
7 who shall be tenured at the California State University campus at  
8 which he or she teaches, shall also be appointed by the Governor  
9 to serve on the board for a two-year term. In the selection of a  
10 faculty member as a member of the board, the Governor shall  
11 appoint the faculty member from a list of names of at least two  
12 persons furnished by the Academic Senate of the California State  
13 University.

14 (2) The faculty member of the board appointed by the Governor  
15 pursuant to this subdivision shall not participate on any  
16 subcommittee of the board responsible for collective bargaining  
17 negotiations.

18 (3) The term of office of the faculty member of the board shall  
19 commence on July 1, and shall expire on June 30 two years  
20 thereafter.